

MINUTES OF
CITY OF CREEDMOOR – BOARD OF COMMISSIONERS
REGULAR MEETING & PUBLIC HEARING
JULY 22, 2008
7:00 P.M.

PRESENT:

Mayor Darryl D. Moss, Mayor Pro-tem Tim Karan, Commissioner Jimmy Minor, Commissioner Otha Piper, Jr., Commissioner Larry Robinson and Commissioner Herman Wilkerson. Also present was Mr. Tom Mercer., City Manager, Sandra Harper, City Clerk and Attorney Tom Currin.

Mayor Moss called the meeting to order at 7:00 p.m. in the Commissioner's Room at City Hall.

INVOCATION:

Mayor Moss

PLEDGE OF ALLEGIANCE:

Commissioner Robinson

Mayor Moss asked that Captain Danny Eudy come forward and announced to everyone that he was retiring from the City of Creedmoor after thirty-years of service. Mayor Moss said that it has been an honor to work with Captain Eudy and that he has served the City well. Mayor Moss thanked him for his dedication and years of service to this community.

Captain Danny Eudy expressed that it has been a pleasure working with the various Boards, Mayors and Police Chiefs. He said that he has learned a lot over the past thirty-years and he will be taking this knowledge with him.

Commissioner Piper said that the City is blessed that Captain Eudy has been working for the City. He said that Captain Eudy has done an excellent job protecting our City and also working at South Granville High School.

Commissioner Wilkerson expressed that in the past Captain Eudy and Officer Tommy Belvin would patrol the streets and make sure that all businesses were secure. Commissioner Wilkerson added that he, the business owners and citizens are very appreciative of Captain Eudy's years of service.

Commissioner Minor said that he has known Captain Eudy for a number of years as a friend, Fireman and Police Officer. He said that he appreciates all the services he performed as a Police Officer to protect the citizens of Creedmoor.

Captain Eudy received a round of applause.

INTRODUCTION OF MR. TOM MERCER, CITY MANAGER:

Mayor Moss said that it gives him great pleasure to introduce Mr. Tom Mercer as the new City Manager. He expressed that Commissioner Robinson led the selection process and during the selection the Board felt that Mr. Mercer could serve this community and continue to push the community forward. Mayor Moss said that Mr. Mercer had been working for the City over a year and he feels that the City is lucky to have him. Mayor Moss expressed that Mr. Mercer has a wealth of experience from the private sector in the managerial field.

Mr. Tom Mercer said that the most important thing was what to do with the rest of his life. He said that he sees Creedmoor as an opportunity to do something creative in his managerial life. He expressed that this will be an opportunity to take a chunk of coal and put it under pressure and come out with a diamond.

Mr. Mercer received a round of applause.

APPROVAL/ADDITIONS TO AGENDA:

Moved by Commissioner Wilkerson and seconded by Commissioner Piper to adopt the agenda with the addition of Item 12-c under New Business - Satellite Annexation Petition for the Gerald Whitfield Property – Walters Road. The motion received a unanimous vote.

REQUESTS TO ADDRESS THE BOARD:

No one was scheduled to address the Board.

PUBLIC HEARING:

Satellite Annexation Petition – Gerald Whitfield Property –57 Acres – Walters Road:

Mayor Moss opened the Public Hearing.

Mr. Dave Roesler, Planning Director addressed the Board and gave an overview of the property located on Walters Road consisting of 57.105 acres. He expressed that at last month's meeting the Clerk and Attorney was directed to certify the sufficiency. He said that he provided the Board in their packets the necessary requirements for satellite annexation and this property does meet the distance requirements.

Attorney Currin said that the determination of which Fire Department serves this area must be determined prior to taking any action. Attorney Currin said that the title has been examined and is held by the parties that executed the petition. Attorney Currin said that the Clerk can certify the sufficiency; however, the City has not been provided with a recordable

survey and this has been explained to the Petitioner. He said that the hearing can still take place; however, he encourages the Board to delay taking any action this evening until these matters have been taken care of.

Mr. Gary Mitchell of Bass, Nixon and Kennedy, 3319 Heritage Tray Drive, Wake Forest addressed the Board and advised that he brought with him this evening the appropriate recordable documents needed. He said that they would appreciate the Board's support.

No one else wished to speak so Mayor Moss closed the Public Hearing.

MINUTES:

Moved by Commissioner Minor and seconded by Commissioner Wilkerson to approve the minutes of June 11, 2008, June 18, 2008, June 24, 2008 and July 9, 2008. The motion received a unanimous vote.

PUBLIC COMMENTS:

Mr. Jim Albright, 2560 Mint Julip Drive and Mr. Homer Ashby, 2569 Primrose Lane of Southerby's Subdivision addressed the Board and said that the speed limit in the subdivision is currently 25 miles an hour and asked that it be lowered to 10 miles per hour. Mr. Albright said that there are a lot of children that play and ride their bicycles and they are concerned for their safety. Mr. Ashby requested that the Board consider placing speed bumps in the subdivision to slow down the traffic to secure the safety of the children and residents. Mr. Albright said that they would be glad to produce a petition of support from the residents. Mr. Albright said that Mint Julip Drive seems to be a drag strip. He also added that they are having a problem with cars parking on the street.

Mayor Moss referred this to the Transportation Infrastructure Committee and the City Manager. Mayor Moss expressed that they would review this issue and bring a recommendation back to this Board.

Commissioner Piper said that he would like the committee to pursue this issue for all subdivisions. He has concerns of children at play and an accident waiting to happen.

Commissioner Minor said this addresses the other problem of children not having a place to play. He emphasized that subdivisions should provide a recreation area for the residents.

Commissioner Karan commented that it also addresses the issue of no sidewalks.

Commissioner Robinson inquired about feedback from the speed bumps placed at Whitehall Subdivision.

Commissioner Wilkerson advised that the residents of Whitehall are pleased with the two speed bumps and they seem to be doing a good job at slowing down traffic. There are two asphalt speed bumps that are to be installed as soon as possible.

Commissioner Robinson said that he likes speed bumps; nevertheless, he read an article recently that the crime rate goes up when speed bumps are installed because the Police do not patrol as often. He also expressed that he is hearing positive feedback on the sidewalks installed on Main Street.

Commissioner Wilkerson said that he has been against speed bumps from the beginning when they were requested by Golden Pond and is still against speed bumps; however, everyone else is in favor of them so he gave consent.

Commissioner Karan advised that the company that made the removable speed bumps make moveable solar powered speed indicator signs and this may be something the Board would like to consider.

Ms. Penny Richardson, 103 Legion Street addressed the Board and asked what is being done about her water issue.

Commissioner Minor said that he stopped by and talked with her husband and advised him that they are waiting for NCDOT approval to close down traffic to bore under the highway. Commissioner Minor said that they are looking at a date of August 1, 2008.

No one else wished to speak so Mayor Moss closed the Public Hearing.

MANAGER'S REPORT:

Mr. Tom Mercer, City Manager gave an overview of his Manager's Report that was provided in the Board packets as follows:

1. Water

- Plant was shutdown on June 30th and two employees were laid off
- Wayne Wilkerson has turned in his two week notice and is going back to Roxboro as an operator.
- We are buying 100% bulk water from SGWASA
- Shutdown check list 60% complete – Will have Wooten audit when complete
- New rates go out with August 1st billing
- Automatic Switch Gear for secondary pump to Kaiser Roth - \$11,877.18 is on order
- MOU for Hester Road received and signed – County has authorized construction
- Legion Street – New 2” line needs to get NCDOT approval for single lane traffic when boring under RT#50 and tapping in line. Plan to start by August 1st.

- Dam repair-bladder in and holding dimensions taken for gate-possible alternate repair utilizing a ball valve has been submitted to Wooten and State Dam Safety
- Raw water intake is still slowly leaking-need to get NCURT dive team back

2. Sewer

- Joe Peed (2) pump rebuild started July 10th (\$38-\$40K) - #2 pump has been rebuilt - #1 pump will be rebuilt starting in August
- SGWASA sewage spill at Rogers Pointe – 7/16/08 – Asked SGWASA did the spill get into our Lake Rogers water system. They assured the City Manager that it had not.

3. Refuse Collection:

- Residential old rate \$13.00 – New rate \$14.60 for a single 96 gallon container – One pickup
- Small commercial old rate \$17.00 – New rate \$19.00 single 96 gallon container – Two pickups
- If fuel goes up or down more than 5¢ during the monthly reconciliation, adjustments will be made at end of the fiscal year
- Recycling and trash pickup will be the same day starting August 4th

4. Lake Rogers

- Dredging – Notice to Proceed (Limited) has been issued
- Wooten Company pursuing grant fund release
- Allowing boating on water until dredging equipment actually arrives

5. Other

- Chief Benware is on vacation for two weeks starting July 21st. Dennis Williams and Ricky Cates will be in charge
- Phillip Howell is on his honeymoon for ten days starting July 21st
- Received an amended contract from our auditors (see attached)
- Water leak or spring runoff to be worked on first week of August or sooner depending on work load
- Ascot Street lights are functioning
- Lake Road asphalt patch to be done after meter reading is complete
- Cross walks on Main Street at Lyon and Mill streets need NCDOT approval for encroachment authorization
- Gym-Quotes in for boiler room double door, soffit & fascia - \$1,853
- Gym & Senior Center – Remove and install stairs and handrail \$1,750
- Gym-Back double door replacement, landing on stairs & handrails \$1,475
- Gym & Senior Center – Electrical Repairs \$2,948

- Gym – Vestibule \$4,934
- Total of \$12,960 for repairs

Last year Sport Facilities Spending \$11,715
Last year gym air-conditioning \$6,435

Mayor Moss asked if the approximate \$13,000 was in the budget.

Mr. Tom Mercer, City Manager replied no.

Mayor Moss referred this to the Finance, Administration & Intergovernmental Committee.

Mr. Steve Colenda, Building Inspector advised that there was \$300.00 in plumbing repairs yesterday at the Senior Center. He said that a pipe burst over the weekend and flooded the ladies room and the men's room. Mr. Colenda further advised that additional repair cost will be incurred to repair the damaged floor.

Mr. Tom Mercer, City Manager expressed that there was a Business Advisory Council meeting last week and there was discussion of the following concerns:

- Parking issues
- Appearance of the City
- Customer friendly service with City staff
- 90 day/one year plan/five year plan
- The importance of sidewalks
- Music Festival and other activities to bring other people into the City of Creedmoor

Mayor Moss announced that the next Business Advisory Council meeting is scheduled for Monday, August 11, 2008.

Mr. Tom Mercer, City Manager addressed the issue of brush and white goods pickup. He said that there had been confusion as to what days. Mr. Mercer said that brush pickup will be the first and third Wednesday of each month and white goods pickup will be the second Wednesday of each month. Mr. Mercer, City Manager said that he was going to look at the processes that it takes to run the City. He said that the level of quality and Customer Service rise with consistency.

Mayor Moss advised that Mr. Mercer, City Manager provided in the Board packet a letter from the City's auditors Winston, Williams, Creech and Evans stating that the audit is going to cost \$54,000. The revised contract amount was for \$32,000; however, they have incurred additional costs of \$22,000.

Mayor Moss referred this to the Finance Committee. He asked Mr. Mercer to schedule a meeting with Winston, Williams and Creech.

Commissioner Karan advised that he was disappointed that the financial information was not available in this Board packet. He said that he sent an e-mail last week requesting the number of hours spent prior to this letter.

Mr. Tom Mercer, City Manager said that he received the financial statement about one and one-half hours ago and he did not have a chance to review it. Mr. Mercer said that he needs to receive the financial reports sooner to have time to review the documents before presenting it to the Board. He said that he would prefer a chance to review so that he could explain anything that might be out of the ordinary or answer any questions the Board might have.

OLD BUSINESS:

Audit Report:

Mayor Moss spoke with Mr. Ritter July 21, 2008 and there is an IRS issue that is outside of our control. He said that the Appeals Division did not receive the complete audit package. The IRS Agent Statement was missing. Normally they would have to resubmit the entire package and this would create a two to three month delay to the City; however, Mr. Ritter has requested that the Exam Division be allowed to provide the missing pages.

Department Head Reports:

Commissioner Minor said that the vehicle gas mileage was not accurate on the Police Report.

Commissioner Wilkerson asked at what time period the Board will receive the financial reports in their packages.

Mr. Tom Mercer said that his goal is to make sure that it is in the next regular board meeting packet.

Application for Final Plat - Pine Valley Phase 2:

Mr. Dave Roesler, Planning Director addressed the Board and said that the City received a request from the property owner, Mr. Gary Felton for approval of the Final Plat for Pine Valley, Phase 2. Phase 2 consists of 74 single-family residential building lots. Mr. Dave Roesler, Planning Director presented the Board with a Resolution Approving and Application For A Final Plat For Pine Valley Subdivision, Phase II containing three conditions as follows:

1. A performance Bond or Letter of Credit for the final overlay of pavement of all streets and roads consistent with Section 153.31 (B),(C),(D), and (E) of the City of Creedmoor Ordinances and the City of Creedmoor Design, Standards and Specifications Manual.

2. A Performance Bond, or Letter of Credit for \$5,000 for the installation of children's playground equipment, consistent with Section 153.31 (B),(C),(D) and (E) of the City of Creedmoor Code of Ordinances.
3. That a pond maintenance agreement for those lots containing portions of the pond(s) be recorded with the Granville County Register of Deeds. The pond maintenance agreement shall have to adequately maintain the water quality of the pond and provisions to raise yearly suitable funds for the maintenance of the pond(s) (Lots 73,75,76,77,11,12,19-24, 1-9, and/or others as may be effected).

The Board has concerns of the timing for the recreation area to be completed. It was also noted that there was an earlier conversation about children playing in the streets.

Attorney Currin said that the Board could require that the recreation area be installed before the issuance of the first Certificate of Occupancy.

Upon discussion, moved by Commissioner Karan and seconded by Commissioner Minor to adopt the Resolution Approving An Application For A Final Plat For Pine Valley Subdivision, Phase II with the modification adding a new paragraph #4 to read "That the installation of playground equipment in the active playground space be completed and certified by City staff prior to issuance of any Certificate of Occupancy within Phase II." and the Non-severability shall become paragraph #5. The motion received a unanimous vote.

Attorney Currin suggested that the Board refer to the Planning Board the issue of a better definition of the exact amount of playground equipment that is to be installed for inclusion by further amendment to the existing City Ordinance.

Commissioner Wilkerson inquired about vehicles having access to the recreation area.

Mr. Felton said that there would be access for a vehicle on the right-of-way that goes down beside the pump station. He said that there is also another right-of-way in the cul-de-sac in Phase I.

Commissioner Minor inquired about the wetlands.

Mr. Felton said that there would be topsoil brought in for the playfield.

Resolution Designating Bank Signature Cards:

Moved by Commissioner Piper and seconded by Commissioner Karan to adopt the Resolution Designating Bank Signature Cards that all checks, drafts, notes, orders or other instruments for the payment of money are to be signed by Lenessa Hawkins, Finance Director, Mayor Darryl D. Moss, Mayor Pro Tempore Timothy J. Karan and Thomas H. Mercer, City Manager and that all checks for the disbursement of City of Creedmoor funds are to be written by the Finance Officer, or in her absence, the City Manager. The motion received a unanimous vote.

Satellite Annexation Petition – Gerald Whitfield Property –57 Acres – Walters Road:

Moved by Commissioner Karan and seconded by Commissioner Piper to defer this issue until verification of the Fire Department service is determined and staff has an opportunity to review the recordable surveys presented this evening. The motion received a unanimous vote.

MAYOR’S REPORT:

Mayor Moss announced that the Alive-After-Five is scheduled for August 28th at 5:30 p.m. featuring the Castaways band.

Mayor Moss announced that the planning of the Music Festival has begun and Commissioner Piper is leading the committee. There is a meeting scheduled for next Friday at 9:00 a.m.

Mayor Moss advised that Legislature did not take action on the City initiated annexation; however, they did pass a bill to create a study commission to review the issue.

Mayor Moss said that the Board would like to meet with Mr. Tom Mercer, City Manager to discuss how this Board would like to move forward.

Mr. Tom Mercer, City Manager expressed that he would like to meet with each Official individually and then meet as a Board.

Mayor Moss announced that he has a Town Hall Meeting scheduled for August 14th and advised that the City Manager would have the individual meetings and they would meet as a Board to compare notes on the Town Hall Meeting date.

COMMISISONER REPORTS:

Commissioner Wilkerson referred to the site distance at the corner of Elm Street and Masonic Street and expressed that he would like no parking established between the guide wire and light post.

Mayor Moss referred to the site distance at the corner of Lyon Street/Main Street at the BP Station.

Commissioner Wilkerson said that he would talk with the owner of the BP and the owner of Southern States and see if they will cooperate with the City and report back to the Board.

Commissioner Wilkerson said that he has an appointment scheduled to meet with Mr. Lyon on Saturday, August 9, 2008 in Richmond in reference to the American Legion building.

Commissioner Wilkerson reported on the cave in of the pavement on Lyon Street. He said that the first joint of the storm drain pipe has separated from the second joint about 3” to 4” at the top and there is a possibility that the second joint may have separated from the third joint. They are weld pipes and can be repaired. He said that he does not think that the cave in is coming from the pipe under the pavement. Commissioner Wilkerson said that the debris needs to be cleaned out on the north side of the highway.

Commissioner Wilkerson advised that Mr. Brad Mullins of Davenport Subdivision spoke to him about the utility work on Elm Street and asked if the grass would be replaced.

Mr. Dave Roesler, Planning Director said that the City has an encroachment agreement process.

Commissioner Wilkerson referred to the Mack Street water leak and he received information that this will be fixed next Monday.

Commissioner Robinson said that he noticed a water leak on Elm Street by Davenport.

Mr. Steve Colenda said that he was already aware of this leak. The water is on the shoulder and the pavement. Mr. Colenda said that it seems to be caused by the 2” line.

Commissioner Wilkerson announced that he will be unable to attend the Music Festival meeting next Friday; however, Mr. Tommy Keith will be attending to discuss the car show. He also announced that since there will be a pig cook-off he wanted to mention that a friend of his bought a pig at \$1.46 per pound.

Commissioner Wilkerson said that he is glad to see that Main Street has been cleaned up.

Commissioner Karan said that he had requested an approximate amount of hours that the Finance Director and staff have spent over the past year on this financial crisis and the approximate numbers of hours that Williams, Winston, Creech and Evans has spent on the audit.

Ms. Lenessa Hawkins, Finance Director gave an overview of the estimate of time spent on the financial audit over the past year. The estimated time billed outside of audit related hours for Winston, Williams and Creech was difficult to distinguish because she could not verify that the percentage of conversations and meetings billed were spent on tax liability resolution for the City. Ms. Hawkins stated that in the year 2007-2008 the City remitted checks in the amount of \$159,698.96 to the Internal Revenue Service. She added that some were for outstanding taxes due and others were for additional tax assessed as a result of the examination by IRS Representative C. Wides. The additional tax assessed by Ms. Wides is subject to abatement under the current appeal request.

Commissioner Karan announced that National Night Out/Day of Play is scheduled for Tuesday, August 5th, 2008 at the Senior Center from 6:00 p.m. until 9:00 p.m. He said that

last year was an excellent event and this year they are planning a lot of activities for kids. There will be balloon twisters, face painters, jugglers, a stilt walker, children's art projects, a balloon walk, snow cones and free drinks. He encouraged everyone to come out and have a great time.

Commissioner Karan expressed that the citizens that live in the newly incorporated Butner and businesses need to have an address change from Creedmoor to Butner. He said that he went to the unveiling of "My Home Town" by Time Warner Cable to be aired on Channel 24. He said that they talked about all of the great industries that reside in Butner; however they all have Creedmoor addresses. He said that this is very confusing to people and we need to get this resolved. He said that the extent of the mention of Creedmoor was that we are a viable entity within Granville County. They also mentioned the City festivals and Lake Rogers.

Mr. Dave Roesler, Planning Director said that the address changes would have to be changed by the U.S. Post Office.

Commissioner Robinson said that there was an article in the local B-C News about the Cruise-In car show in Creedmoor. He said that if the location was not mentioned as Andy's he would not have known that it was actually taking place in Butner's community.

Commissioner Piper said that the Music Festival is scheduled for September 20, 2008 from 9:00 a.m. until 3:00 p.m. The vendor fee is being lowered to \$10.00. This year there will be a pig cook-off. Commissioner Piper said that he is going to try to get more sponsors to contribute. He added that they are planning to have activities for the children and are also trying to get a car show this year.

Moved by Commissioner Wilkerson and seconded by Commissioner Robinson to go into Closed Session on the Matter of Personnel in accordance with GS 143-218.11. The motion received a unanimous vote.

Upon return to Regular Session, moved by Commissioner Karan and seconded by Commissioner Minor to adjourn. The motion received a unanimous vote.

Mayor

City Clerk